

RFA No. 365 of 2017

31.08.2020

Present: Ms. Rinku Sharma, Advocate vice Mr. Rohit Sharma, Advocate for the non-applicant/appellant through video conferencing.

Mr. Baldev Singh Negi, Advocate for applicants No. 1(i) to 1(iii) and applicant No.2 through video conferencing.

Mr. Raju Ram Rahi, Deputy Advocate General for respondents No. 3 and 4 through video conferencing.

CMP No. 8111 of 2020

This application has been on behalf of applicants/respondents No. 1(i) to 1(iii) and applicant No.2 for release of deposited amount of compensation, lying in the Registry.

The application has been opposed on the ground that *prima-facie* case is in their favour and there is every likelihood of allowing of the appeal and resulting into reduction of amount of compensation.

Learned counsel for the applicants/respondents submits that valuable property of the claimants have been acquired for public purpose and they are agitating for the just and fair compensation since long, therefore, application deserves to be allowed.

Considering the submissions of learned counsel for the parties, at this stage, 50% amount of compensation along-with interest, for which the applicants/respondents are entitled, in terms of reference award, is ordered to be released in their favour by remitting the same in their respective bank accounts, detailed in para 6 of the application. Photocopies of the

front page of pass-books have also been enclosed with the application.

It is made clear that this release of amount shall be subject to the condition that if, at the time of final adjudication of the appeal, it is found that excess amount has been released in favour of applicants/respondents, they shall be liable to refund the same along-with interest. Application is allowed and stands disposed of.

(Vivek Singh Thakur)
Judge

August 31, 2020
(naveen)